



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/780,379	02/12/2001	Hans-Jurgen Lienesch	741124-76	9293

22204 7590 06/06/2003

NIXON PEABODY, LLP
8180 GREENSBORO DRIVE
SUITE 800
MCLEAN, VA 22102

EXAMINER

LONEY, DONALD J

ART UNIT PAPER NUMBER

1772

DATE MAILED: 06/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/780379

Applicant(s)

Lien et al

Examiner

D. Loney

Group Art Unit

1772

AS-17

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

P r i d f r Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 10/30/02.
- ☐ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Dispositi n of Claims

- ☒ Claim(s) 1-10 is/are pending in the application.
- Of the above claim(s) 9 is/are withdrawn from consideration.
- ☐ Claim(s) is/are allowed.
- ☒ Claim(s) 1-6, 10 is/are rejected.
- ☒ Claim(s) 7, 8 is/are objected to.
- ☐ Claim(s) are subject to restriction or election requirement.

Applicati n Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☒ received in Application No. (Series Code/Serial Number) 08/894107.
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 13
- ☐ Interview Summary, PTO-413
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

Office Action Summary

1. Applicant's election without traverse of Group I in Paper No. 14 is acknowledged.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

- 2.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by either Jury or Thomas.

Both references teach a metal body with an adhesive surface wherein an acute wedge shaped edge is formed (i.e. dove-tail type connection) as shown in applicants Fig. 1, element 46. Refer to Fig. 4 in Thomas. Refer to Figures 1, 5, 7, 9 and 11(a) in Jury.

4. Claims 1, 2, 3, 4, 5, 6 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Newhouse et al.

Newhouse et al teaches a metal body (16, 24 or 56), which has a wedge shaped under cut at either location (26 of the tapered throat) or dovetail (54 or the inner edge of dovetail 77). The dovetails slots 77 and 88 can be considered and grooves for instant claim 6. The body has a threaded hole (68), which would inherently receive a threaded stud type device even though not specifically disclosed for claims 2, 3, 4, and 5. Refer to Figures 1, 2 and 3.

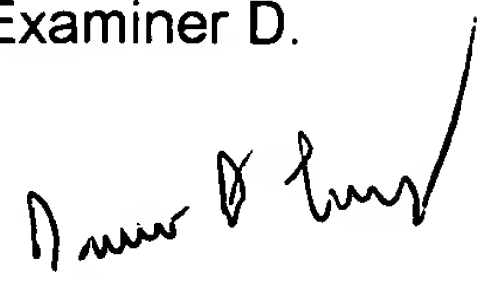
Art Unit: 1772

5. Claims 7 and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The references to Aidan and Thompson are cited to show dovetail type connections among elements.

6. Any inquiry concerning this communication should be directed to Examiner D.

Loney at telephone number (703) 308-2416.


DONALD J. LONEY
PRIMARY EXAMINER

D. Loney/dh

May 22, 2003